In the High Court of Judicature for Rajasthan
At
Jaipur Bench, Jaipur

O R D E R

In

S.B. Criminal Misc. Bail Application No.7154/06
Sanjay Vs. State of Rajasthan

Date Of Order :: 30th November, 2006

Hon'ble Mr. Justice Jitendra Ray Goyal

Mr. A.K. Khan, counsel for petitioner.
Mr. R.P. Kuldeep, Public Prosecutor for State.

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Heard learned counsel for accused petitioner, learned Public Prosecutor for the State, perused the case diary and other material produced during the course of arguments.

It is contended on behalf of the accused petitioner that actually the complainant party was the aggressor and they attacked and caused injuries to accused petitioner Sanjay and other persons Ram Gopal, Smt. Vandana, Ghanshyam and Sm.t Basanti. It is also submitted that accused petitioner also sustained injury on his head. It is also submitted that none of the injury received by the complainant party on their vital part was grievous in nature and all the injuries were found to be simple in nature.

Learned Public Prosecutor opposed the bail application.

Without making any observations on merits, having considered the rival submissions made at the bar, nature of accusation, material on record, all other facts and circumstances and also keeping in view that cross FIR has also been registered wherein the accused petitioner Sanjay has also received injury on

his head and injured from the complainant side also received injury which is simple in nature and other co-accused persons have already been granted the benefit of pre-arrest bail by the trial court, I deem it proper to grant the benefit of pre-arrest bail to accused petitioner Sanjay.

In the result, the bail application is allowed and it is directed that in the event of arrest of petitioner Sanjay S/o. Ramdhan, he shall be released on bail by the concerned SHO/Investigating Officer in FIR No.349/2006 registered at Police Station Bhimganj Mandi, Kota provided he furnishes a personal bond in the sum of Rs.10,000/- together with two sureties each in the sum of Rs.5,000/- to the satisfaction of the concerned SHO/Investigating Officer on the following conditions :-

1. that he shall make himself available for interrogation by a police officer as and when required;
2. that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or any police officer; and
3. that he shall not leave India without previous permission of the Court.

(J.R. Goyal),J

VS Shekhawat/-
Jr. P.A.